

# FISCAL NOTE

## HB 430 - SB 928

February 24, 2001

**SUMMARY OF BILL:** Requires a person convicted of misdemeanor theft to serve a mandatory sentence of 11 months and 29 days if the person has two or more prior theft convictions and requires a person convicted of felony theft to serve a mandatory one year minimum sentence if the person has two or more prior theft convictions.

### ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$1,029,400/Incarceration\***  
**Increase Local Govt. Expenditures\* - Exceeds \$10,000,000**

Assumes 37 persons convicted of Class E felony theft, 95 persons convicted of Class D felony theft, and 28 persons convicted of Class C felony theft will serve one year minimum mandatory sentence based on prior theft convictions. Also assumes a minimum of 2, 000 persons convicted of misdemeanor theft will serve an average of 200 additional days mandatory sentence based on prior theft convictions.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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